

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 26, 2002

DIVISION ONE

B148727 Deprima (Not for Publication)
v.
Hermann

The trial court's order denying the protective order is reversed and the case is remanded with directions to the trial court to make findings based upon the definition of "elder abuse" we have set forth. It shall then exercise its discretion in ruling on the petition for a protective order. Appellant is to recover costs on appeal.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B155032 Los Angeles County, D.C.S. (Not for Publication)
v.
Guadalupe C.

We dismiss as moot the portion of the appeal that concerns the dispositional order. We affirm the jurisdictional order.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

September 26, 2002 (Continued)

DIVISION ONE (Continued)

B152960 Dadon (Not for Publication)
v.
Torabi, et al.

The order granting the motion to enforce the NLB settlement agreement is reversed. The trial court is directed to vacate the judgment entered thereon. Plaintiff is to recover costs on appeal.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

B156019 People (Not for Publication)
v.
Redames Lopez Rolon

The judgment is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Mallano, J.

B157863 People (Not for Publication)
v.
Martha Ortiz

The judgment (order revoking probation) is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

B155735 Tom Stanley et al. (Not for Publication)
v.
Lockheed Information Management Services et al.

The order is affirmed.

Spencer, P.J.

We concur: Ortega, J.
Vogel (Miriam A.), J.

DIVISION TWO

B153929 People (Not for Publication)
v.
Watkins

The judgment is modified to stay the concurrent three-year sentence for battery in accordance with section 654, the stay to become permanent upon completion of the remainder of the sentence. In all other respects, the judgment is affirmed.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
Doi Todd, J.

B149327 Siegel (Not for Publication)
v.
Lake

The judgment is reversed and remanded for a new trial. Lake shall recover his costs on appeal.

Ashmann-Gerst, J.

I concur: Nott, Acting P.J.
I dissent: Doi Todd, J. (Opinion)

B153588 Erde (Not for Publication)
v.
Bodnar, et al.

The three judgments of dismissal are affirmed. The respondents shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION TWO (Continued)

B148054 Seekers USA, Inc. (Not for Publication)
 v.
 Nober, et al.

The judgment is affirmed. The respondents shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

B153629 Rivas (Not for Publication)
 v.
 City of Los Angeles

The judgment entered upon the trial court's order granting summary judgment for respondent is reversed. The matter is remanded for trial. Appellant shall recover his costs on appeal.

Ashmann-Gerst, J.

We concur: Nott, Acting P.J.
 Doi Todd, J.

B156413 People
 v.
 Valerio

Filed order denying petition for rehearing.

DIVISION THREE

B156172 In re Edward Charles Williams (Not for Publication)
 on
 Habeas Corpus

William's petition for writ of habeas corpus is granted as follows: The Board is ordered to schedule and provide petitioner Williams a new parole suitability hearing and to render a new parole determination in accordance with the guidelines set forth in this opinion, as well as in In re Ramirez, supra, 94 Cal.App.4th 549 and In re Rosenkrantz, supra, 80 Cal.App.4th 409. The new parole hearing is to take place within 30 days after this opinion is filed. Jurisdiction to enforce this order, and to make and enforce any orders as are necessary to effectuate this order, is vested in the superior court.

Kitching, J.

We concur: Croskey, Acting P.J.
 Aldrich, J.

B156495 Judith P. (Certified for Publication)
 v.
 Superior Court, Los Angeles County
 (Department of Children & Family Services, L.A. County, r.p.i.)

Mother's petition for extraordinary relief is granted. Let a peremptory writ of mandamus issue directing the trial court to vacate its order of February 13, 2002. Upon remand, the juvenile court shall conduct a contested section 366.21 hearing, and, based on that hearing, re-determine the issue of termination of family reunification services, and conduct further proceedings not inconsistent with the views expressed herein.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

September 26, 2002 (Continued)

DIVISION THREE (Continued)

[illegible]

The judgment is affirmed.

Croskey, Acting P.J.

We concur: Kitching, J.
 Aldrich, J.

B153931 People (Not for Publication)
v.
Weldon

The judgment is affirmed.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

DIVISION FOUR

B153623 Infinity Outdoor (Not for Publication)
v.
Food Dude, Inc.

The judgment is reversed, and the trial court is directed to vacate order granting the motion for summary judgment of respondent, Food Dude, Inc. The order denying appellant's motion for summary judgment is affirmed. Appellant shall have its costs on appeal.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

September 26, 2002 (Continued)

DIVISION FOUR (Continued)

[illegible]

The judgment is affirmed. The superior court is directed to prepare an amended abstract of judgment deleting the reference to a \$10,000 probation revocation fine (§ 1202.45) and to substitute 25 years to life in place of 25 years as the term imposed on the personal discharge enhancement (§ 12022.53, subd. (d)).

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B155434 People (Not for Publication)
v.
Cole

The judgment is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B150105	Coalition to Save Angelus Temple, et al. v. City of Los Angeles	(Not for Publication)
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The order denying attorney fees under section 1021.5 is affirmed. Appellants are to bear costs on appeal.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B148827 Seyed Kabehie, et al. (Certified for Publication)
 v.
 Farid Zoland, et al.

The judgment of dismissal and the order granting the motion for judgment on the pleadings are reversed. The trial court is directed to enter a new and different order granting the motion as to the first, second, third, fifth, sixth, ninth, tenth, eleventh, twelfth and thirteenth causes of action and denying the motion as to the fourth, seventh, eighth and fourteenth causes of action. Appellants are awarded their costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Mosk, J. (opinion)

B151656 Sanae Sakai (Not for Publication)
 v.
 Rosenfeld, Meyer & Susman, etc., et al.

The judgment is affirmed. Respondent(s) to recover costs.

Armstrong, J.

We concur: Turner, P.J.
 Grignon, J.

B149315 People (Not for Publication)
 v.
 Khanh Nguyen

The judgment is affirmed.

Armstrong, J.

We concur: Turner, P.J.
 Mosk, J.

DIVISION SIX

B155536 People (Not for Publication)
 v.
 Mc Coggle

The judgment of commitment is affirmed.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

B154828 People (Not for Publication)
 v.
 Durazo

The appeal is dismissed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B137799 People (Not for Publication)
 v.
 Gonzales

The judgment and sentence are affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B152299 DDT Med Credit, LLC (Not for Publication)
 v.
 Bombola

The post-judgment orders are affirmed. Costs are awarded to DDT.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J. and Connie Hon, Deputy Clerk.

Each of the following:

B153046 People v. Bojorquez
B157123 DCFS v. Hercilia Q.
B153315 People v. Deseo
B154960 People v. Boykins
B155475 People v. Floyd
B156283 DCFS v. Lucia H.
B153503 Burton v. Ogas-Burton
B148314 People v. Andrade
B151322 People v. Wingfield
B154938 People v. Felipe G.
B156322 DCFS v. Andrea R. & Victor A.

Argument waived, cause submitted.

B157179 Cisneros,
 v.
 Superior Court, Los Angeles County
 (The People, r.p.i.)

Merits:

Argued by Edward P. George for petitioner and by Shirley S. N. Sun,
Deputy District Attorney for real party in interest. Cause submitted.

B159257 Department Of Alcoholic Beverage Control,
 v.
 Alcohol Beverage Control Appeals Board;
 (The Southland Corp., r.p.i.)

Merits:

Argued by David Tiede, Deputy Attorney General for petitioner and by
Jeffrey Vinnick and Rick Blake for real parties in interest. Cause
submitted.

DIVISION EIGHT (Continued)

B147633 Kraft
 v.
 Lively

Merits:
Argued by Claudia Kloss for appellant and by Kenneth Feldman for respondent. Cause submitted.

B153368 Raven-Moore
 v.
 Los Angeles Metropolitan Transportation Authority

Merits:
Argued by Shirley Raven-Moore, appellant in propria persona and by Richard Chastang, Deputy County Counsel for respondent. Cause submitted.

B153404 Samuel
 v.
 Esensten

Merits:
Argued by Wayne G. Samuel for appellant and by Robert L. Esensten for respondent. Cause submitted.

B153572 Politi
 v.
 County Of Los Angeles

Oral argument continued to October 29, 2002, at 9:00 A.M.

B155799 Insua
 v.
 Scottsdale Insurance Company

Merits:
Argued by John A. Belcher for appellant and by Alan Yuter for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B150489 Peacock

v.

Los Angeles County Metropolitan Transportation Authority, et al.
City Of Los Angeles

Merits:

Argued by Eric Peacock, appellant in propria persona and by Jin S. Choi and Kim Westhoff, Deputy City Attorney for respondents. Cause submitted.

Court recessed at 11:35 a.m.

Court reconvened at 11:38 a.m.

B157067 National Bank Of Canada

v.

Intertainment Licensing,
Film Finance Canada (1998) LTD.

Merits:

Argued by Scott Edelman for appellant and by Michael Novicoff and Gary E. Gans for respondents. Cause submitted.

Court recessed at 12:34 p.m.

Court reconvened at 1:06 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J. and Connie Hon, Deputy Clerk.

B154678 Mason

v.

California Department Of Real Estate

Merits:

Argued by Walter L. Gordon for appellant. Diane Spencer Shaw, Deputy Attorney General appearance for respondent and waives argument. Cause submitted.

DIVISION EIGHT (Continued)

B152752 Evergreen Pharmaceutical Of California,
 v.
 Andrews

Merits:
Argued by James M. Burgess for appellant and by Dennis Larochelle for respondent. Cause submitted.

B151824 TRUST ESTATE OF LAWRENCE J. CARR, et al.
 Littrell & Miner
 v.
 Wandell

Merits:
Argued by David A. Xavier for appellants. No appearance on behalf of respondent. Cause submitted.

B152524 Papazian, et al.
 v.
 Air Canada

Merits:
Argued by Ara Papazian for appellants and by Robert Crowder for respondent. Cause submitted.

B156644 Park Place Associates, et al.
 v.
 Bell Gardens Bicycle, et al.

Merits:
Argued by Daniel Gonzalez for appellants and by John R. Pelle for respondents. Cause submitted.

Court adjourned.

September 26, 2002 (Continued)

DIVISION EIGHT (Continued)

B148698 Krinsky, et al. (Not for Publication)
 v.
 Long Beach Wings, et al.

The judgment and the award of attorney fees are reversed, and the cause is remanded for further proceedings. Appellants are awarded costs on appeal.

Cooper, P.J.

We concur: Rubin, J.
 Boland, J.